
DARE INVESTMENTS, LLC, a Utah
limited liability company,

Plaintiff,

vs.

CHICAGO TITLE INSURANCE
COMPANY, a Missouri domiciled
insurer; HORIZON TITLE AGENCY,
Inc., a New Jersey domiciled company;
CHICAGO TITLE RICO
ENTERPRISE, a racketeering
enterprise,

Defendants.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Civil Action No. 2:10-cv-06088-DRD-MAS

Honorable Dickinson R. Debevoise

**AMENDED
REQUESTS FOR PRODUCTION OF
DOCUMENTS FROM PLAINTIFF DARE
INVESTMENTS TO DEFENDANT
CHICAGO TITLE
(First Set)**

TO: Defendant Chicago Title Insurance Company and their Attorneys

Please produce the following described documents at the offices of Plaintiff's counsel pursuant to Rule 34 of the Federal Rules of Civil Procedure.

DEFINITIONS:

"Chicago Title" means Defendant Chicago Title Insurance Company and its agents, employees, members and agents, including Horizon Title, David Cohn, Dino Cancellieri, Riker Danzig and Michael O'Donnell.

"Communication" means exchange of Information which may consist of letters, words, or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostating, photographing, magnetic impulse, mechanical or electronic recording, e-mail, or other form of data exchange.

"Complete File" means all Information regarding a matter in whatever form capable of reproduction and includes Communications, photographs (as defined in Federal Rules of Evidence, Rule 1001(2)) and writings and recordings (as defined in Rule 1001(1) of the Federal Rules of Evidence).

“Coverage Investigation” means investigation of coverage of Dare’s claim under the Policy.

“Date of Policy” means March 30, 2006.

“Document(s)” means Information regarding a matter in whatever form capable of reproduction and includes Communications, photographs (as defined in Federal Rules of Evidence, Rule 1001(2)) and writings and recordings (as defined in Rule 1001(1) of the Federal Rules of Evidence).

“Financial Information” includes bank deposits, withdrawals, cancelled checks, statements, P&L’s, Income Statements, W-2’s, 1099’s K-1’s, tax returns, credit applications, and any writings, recordings, photographs (as these terms are defined in the Rules of Evidence) relating to money, assets, wealth, debt or credit.

“Identify” means, with respect to a person, the person’s name, business title, home address, business address, e-mail address and telephone number.

“Identify” means, with respect to a thing, its description and location, and the identity of the person who is in possession of the thing.

“Information” means fact, figures, data, opinions, details and circumstances.

“Mocco/Scarpone Claims and Positions” means positions taken by Mr. and/or Mrs. Mocco in the Vermont Bankruptcy Proceeding captioned *In Re First Connecticut Consulting Group, Inc. et al.*; the United States Bankruptcy Court, District of Connecticut, Bridgeport Division Case No. 02-50852 (AHWS); the State Court consolidated actions ESX-C-280-98; ESX-C-397-99; ESX-C-396-99; ESX-C-396-99; AND ESX-C-6-00; and the 02-23-06 letter from Mr. Scarpone to Mr. Brody.

“Mocco/Licata Cases” means all cases involving the dispute between Peter Mocco and Jim Licata including, without limitation, the Vermont Bankruptcy Proceeding captioned *In Re First Connecticut Consulting Group, Inc. et al.*; the United States Bankruptcy Court, District of Connecticut, Bridgeport Division Case No. 02-50852 (AHWS); the State Court consolidated actions ESX-C-280-98; ESX-C-397-99; ESX-C-396-99; ESX-C-396-99; AND ESX-C-6-00.

“Policy” means the Chicago Title Insurance Company Title Policy No. 72107-2834015 in issue here.

“Mortgage” means the mortgage that is the subject matter of the Policy.

“SWJ” means SWJ Holdings, LLC and includes its members, agents, employees, principals, associates, attorneys, including without limitation William Mournes, Stephen Podell and/or Gordon Duvall.

“You” means Defendant Chicago Title Insurance Company, Your parent corporations or holding companies, Your agents, employees, attorneys, accountants, your investigators, anyone else acting on your behalf or for your benefit and specifically includes Horizon Title and David Cohn.

REQUEST TO PRODUCE 1:

Please produce the Complete File relative to Chicago Title Insurance Company’s business relationship with Horizon Title Agency, including without limitation Horizon Title Agency’s authority to initiate, produce and/or issue policies of title.

REQUEST TO PRODUCE 2:

Please produce Horizon Title’s and Chicago Title’s underwriting rules, regulations, guidelines, procedures and/or opinions in effect on the Date of the Policy.

REQUEST TO PRODUCE 3:

Please produce all Documents that Horizon Title and/or Chicago Title reviewed on or prior to the Date of Policy regarding the Mortgage.

REQUEST TO PRODUCE 4:

Please produce the Complete File relative to the Policy, including all Communications, negotiations, and reserve information.

REQUEST TO PRODUCE 5:

Please produce Complete Files, including claims files, relating each Chicago Title policy issued in connection with any property or person involved in the Mocco/Licata Cases.

REQUEST TO PRODUCE 6:

Please produce the terms, conditions, covenants, court orders, etc, as set forth in the United States Bankruptcy Court, District of Connecticut, Bridgeport Division Case No. 02-50852 which You claim were the reason for the loss or damage to Dare.

REQUEST TO PRODUCE 7:

Please produce the Complete File relative to the investigations and searches referenced in the Invoice dated April 17, 2006 from Horizon Title Agency to Gordon Duval and the “due diligence” referenced in Item 9 of Schedule B1 of the Policy.

REQUEST TO PRODUCE 8:

Please produce the Complete Coverage Investigation File.

REQUEST TO PRODUCE 9:

Please produce each policy of title insurance in which You stated as fact or opinion the amount remaining due on the insured mortgage.

REQUEST TO PRODUCE 10:

Please produce the Complete File of Horizon Title’s Financial Information for the period of January 1, 2005 through December 31, 2006.

REQUEST TO PRODUCE 11:

Please produce all written Communications and Recordings of verbal Communications, by and or between You, Horizon Title Agency, David Cohn, SWJ, Cobra/Ventura and/or any of their employees or agents for the period of January 1, 2005 and the present date.

REQUEST TO PRODUCE 12:

Please produce any Communications, agreements, understandings, proposals or negotiations arising out of or in connection with the Mocco/Licata Cases by or between any of the following: James Licata, Cynthia Licata, William Mournes, Gordon Duval, David Cohn, Dino Cancellieri, Horizon Title, and Chicago Title.

REQUEST TO PRODUCE 13:

Please produce any statements, affidavits, declarations, certifications and draft copies thereof and testimony or depositions by any agent of Horizon Title and Chicago Title, including David Cohn and Dino Cancellieri, relative to any Mocco/Licata Cases.

REQUEST TO PRODUCE 14:

Please produce all Recordings and Communications relative to the reserve assigned to Dare Investment's claim under the Policy.

REQUEST TO PRODUCE 15:

Please produce all Documents disclosed in your Disclosure Statement.

REQUEST TO PRODUCE 16:

Please produce all Documents reviewed, consulted, or relied upon in preparing Your Answers to Interrogatories.

REQUEST TO PRODUCE 17:

Please produce all policies of insurance that do or may provide coverage to Chicago Title for Chicago Title's own errors, omissions or acts and the errors, omissions or acts of Horizon Title.

RESPECTFULLY SUBMITTED this 24th day of August, 2011.

STROJNIK, P.C.



Peter Strojnik, Esq.
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Phone: 602-524-6602
Attorney for Plaintiff Dare Investments,
LLC

The original and one copy of the foregoing
e-mailed this 24th day of August 2011 to:

Michael O'Donnell, Esq. *by e-mail only modonnell@riker.com*
Derrick Freijomil, Esq. *by e-mail only dfreijomil@riker.com*
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